

CHAPTER 23

DISABLED TRANSIT PASSENGER APPEALS BOARD

(Adopted, Ordinance No. 2005-16, March 7, 2005)

1. **ESTABLISHED.** There is hereby established a Disabled Transit Passenger Appeals Board to hear appeals and to advise and make recommendations to the Decatur Public Transit System consisting of five (5) residents of the City of Decatur appointed by the Mayor with the consent of the Council for terms of three (3) years and who shall serve without compensation. Vacancies shall be filled by the Mayor with the consent of the Council for the remainder of any unexpired terms. Two (2) members of the Board shall at all times be members from the disabled community, and one (1) member of the Board shall at all times be a professionally trained medical professional; however, no action or decision of the Board shall be invalid for failure to have on the Board, or in attendance at the meeting or hearing whereat the action or decision was taken or made, any person meeting any of the criteria listed herein.

2. **POWERS AND DUTIES.** The Disabled Transit Passenger Appeals Board shall have the following powers and duties:

(a) To aid in the development and amendment of appropriate policies, standards and guidelines relative to determining eligibility of individuals with disabilities for paratransit services reserved for those who are unable to use the bus system;

(b) To recommend changes in the application, review and approval procedures employed by the Decatur Public Transit System in certifying an individual as having a disability which qualifies that person for paratransit services reserved for those who are unable to use the bus system;

(c) To hear the appeals of persons who have been denied certification for paratransit services, or who have been awarded only conditional or temporary certification, or who have had their certification suspended, altered or terminated, and to make a final determination on all such appeals;

(d) To consult with the Mass Transit Administrator and the General Manager of the Decatur Public Transit System; and,

(e) To perform such other and further functions as may be, from time to time, provided by the Council.

3. **OFFICERS, RULES, MEETINGS AND HEARINGS.** From among its members, and by the concurrence of three (3) members thereof, the Board shall elect a Chairperson, Vice Chairperson and a Secretary for terms of one (1) year, and provide rules for the conduct of its business, among which rules shall be provisions for the time and place of regular meetings as necessary to perform its duties, and the calling by the Chairperson, or on the concurrence of not less than two (2) members, of special meetings. The Board shall, in every case, hold a hearing on an appeal and reach a decision without unreasonable or unnecessary delay. Every decision shall be in writing and shall be promptly filed in the office of the Director of Management Services Department. Three (3) members of the Board shall constitute a quorum and all decisions shall require a majority vote of those present and voting.

4. **APPEALS.** An appeal may be taken within ten (10) days from the date of the decision appealed from by filing with the City Clerk a notice in writing specifying the decision appealed from and the grounds therefor. Upon receipt of such notice filed as required herein, the City Clerk shall transmit the same to said Board and to the Mass Transit Administrator of the Decatur Public Transit System and said Mass Transit Administrator shall transmit to the

Board all papers, documents or other instruments upon which the action appealed from was taken.